

**FEDERAL COMMUNICATIONS COMMISSION
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February 16, 2007

Robert D. Breck, CEO
Nevada County Broadcasters, Inc.
1255 East Main Street, Suite A
Grass Valley, California 95945

Re: KUBA (AM), Yuba City, California
Facility Identification Number: 56365
Nevada County Broadcasters, Inc.
Special Temporary Authority

Dear Mr. Breck:

This is in reference to the request filed February 5, 2007, on behalf of Nevada County Broadcasters, Inc. ("NCB"). NCB requests special temporary authority ("STA") to operate Station KUBA with parameters at variance from licensed values and/or reduced power while maintaining monitor points within licensed limits.¹

In support of the request, NCB states that Station KOBO recently commenced duplexed operation from one of the KUBA towers, and that several unused equipment items will be removed from the antenna system in the near future. NCB requests STA pending completion of the maintenance work and the preparation and filing of an application for direct measurement of operating power.

Accordingly, the request for STA IS HEREBY GRANTED. Station KUBA may operate with parameters at variance from licensed values and/or reduced power while maintaining monitor points within licensed limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. NCB must notify the Commission when licensed operation is restored.² NCB must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **August 16, 2007**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary

¹ KUBA is licensed for operation on 1600 kHz with 5 kilowatts daytime and 2.5 kilowatts nighttime, employing a directional antenna during nighttime hours only (DA-N-U).

² *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Nevada County Broadcasters, Inc.